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ALBERTO GONZALEZ SALGADO

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:20-cr-193 DAD
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER TO
)	CONTINUE STATUS CONFERENCE, AND TO
vs.)	EXCLUDE TIME
)	
MARTIN CERVANTES VASQUEZ,)	Date: March 7, 2023
ALBERTO GONZALEZ SALGADO,)	Time: 9:30 a.m.
AND ISAIAH ALBERTO SALGADO)	Judge: Hon. Dale A. Drozd
)	
Defendant.)	

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, U.S. Attorney Phillip A. Talbert, through Assistant United States Attorney David Spencer, attorney for Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hannah Labaree, attorney for defendant Alberto Gonzalez Salgado, Toni White, attorney for Martin Cervantes Vasquez, and David Fischer, attorney for Isaiah Alberto Salgado, that the previously-scheduled status conference date of March 7, 2023, be vacated and the matter be set for status conference on April 18, 2023 at 9:30 a.m., at the defendants' request.

Counsel for the defendant requires time to conduct independent investigation and meet with her client to review the case. To date, the government in this case has produced over 2,000 individual Bates-stamps items of discovery, with productions on November 16, 2020, May 10, 2021, September 9, 2021, August 22, 2022, and October 20, 2022. The most recent of these two productions were in response to specific discovery requests by the defense: first, for the "bench

1 notes” associated with the DEA lab reports, so to enable the defense to confer with an
2 independent expert regarding the results of the drug analytic (resulting in the August 2022
3 production) and second, for the contents of the cell phones for each of defendants Martin
4 Cervantes Vasquez and Alberto Gonzalez Salgado. This second request resulted in the October
5 2022 production of the results of the cell phone searches of both of these defendants and
6 included a significant amount of protected discovery. *See* CR 66 (Protective Order filed October
7 6, 2022).

8 Counsel for the defendants are in need of additional time to complete their review of the
9 produced evidence. Adding to the time required is the need for counsel for Mr. Cervantes
10 Vasquez and Mr. Alberto Salgado to travel to the Butte County Jail in Oroville to meet with their
11 clients and review discovery in person. Because of the protective order in this case it is not
12 possible to provide the entirety of discovery to the in-custody clients; instead, defense counsel
13 must conduct in-person review.

14 Defense counsel request additional time to complete the above tasks.

15 Additionally, counsel for Mr. Isaiah Salgado is in trial before the Honorable Judge
16 William B. Shubb beginning on March 7, 2023.

17 For these reasons, Defense counsel believe that the failure to grant the above-requested
18 continuance would deny them the reasonable time necessary for effective preparation, taking into
19 account the exercise of due diligence.

20 Based upon the foregoing, the parties agree that time under the Speedy Trial Act should
21 be excluded from this order’s date through and including April 18, 2023, pursuant to 18 U.S.C.
22 §3161 (h)(7)(A)and (B)(iv) (reasonable time to prepare), and General Order 479, Local Code T4,
23 based upon continuity of counsel and defense preparation.

24 Counsel and the defendants also agree that the ends of justice served by the Court
25 granting this continuance outweigh the best interests of the public and the defendant in a speedy
26 trial.

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Respectfully submitted,

Dated: February 23, 2023 HEATHER E. WILLIAMS
Federal Defender

/s/ Hannah Labaree
HANNAH LABAREE
Assistant Federal Defender
Attorney for Defendant
ALBERTO GONZALEZ SALGADO

Dated: February 23, 2023 /s/ Toni LaShay White
TONI LASHAY WHITE
Attorney for Defendant
MARTIN CERVANTES VASQUEZ

Dated: February 23, 2023 /s/ David Delmer Fischer
DAVID DELMER FISCHER
Attorney for Defendant
ISIAH SALGADO

Dated: February 23, 2023 PHILLIP A. TALBERT
United States Attorney

/s/ David Spencer
DAVID SPENCER
Assistant U.S. Attorney
Attorney for Plaintiff

ORDER

IT IS HEREBY ORDERED, the Court, having received, read, and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its Order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and defendant in a speedy trial.

The Court orders the time from the date of this order, up to and including April 18, 2023, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time for counsel to prepare] and General Order 479, (Local Code T4). It is further ordered the March 7, 2023 status conference shall be continued until April 18, 2023, at 9:30 a.m. The court notes that in its November 28, 2022 order continuing the status conference in this case to March 7, 2023, it was stated that no further continuances of the status conference would be granted absent a compelling showing of good cause. While the court finds that such a showing has been made in this stipulation, the court also advises counsel that no continuance of the April 18, 2023 status conference will likely be granted.

IT IS SO ORDERED.

Dated: February 24, 2023


UNITED STATES DISTRICT JUDGE